

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

INHELLING TOBACCO SMOKE
IS POISONOUS MY HEALTH

(ENTER ABOVE THE NAME OF THE PLAINTIFF IN THIS ACTION)

IF THE PLAINTIFF IS A PRISONER: PRISONER # 527-016

vs.

MR. SGT. BEAR

(ENTER ABOVE THE NAME OF THE DEFENDANT IN THIS ACTION)

IF THERE ARE ADDITIONAL DEFENDANTS PLEASE LIST THEM:

MR. RONALD ERDOS

MR. B. SPARKS

COMPLAINT

I. PARTIES TO THE ACTION:

INHELLING TOBACCO SMOKE
IS POISON

PLAINTIFF: PLACE YOUR NAME AND ADDRESS ON THE LINES BELOW. THE ADDRESS YOU GIVE MUST BE THE ADDRESS THAT THE COURT MAY CONTACT YOU AND MAIL DOCUMENTS TO YOU. A TELEPHONE NUMBER IS REQUIRED.

DONALD K. MALONE II 527-016

NAME - FULL NAME PLEASE - PRINT

SOCP PO BOX 46699 LUCASVILLE, OH 43140

ADDRESS: STREET, CITY, STATE AND ZIP CODE

(740) 259-5644

TELEPHONE NUMBER

IF THERE ARE ADDITIONAL PLAINTIFFS IN THIS SUIT, A SEPARATE PIECE OF PAPER SHOULD BE ATTACHED IMMEDIATELY BEHIND THIS PAGE WITH THEIR FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS. IF NO ADDITIONAL PLAINTIFFS EXIST CONTINUE WITH THIS FORM.

PAGE 2 AND 3 OF THIS FORM DEAL ONLY WITH A PLAINTIFF THAT IS INCARCERATED AT THE TIME OF FILING THIS COMPLAINT.

1:16-cv-983

J. BARRETT

MJ. LITKOVITZ

2016 OCT -6 AM 11:58

FILED
RICHARD W. NAGEL
CLERK OF COURT

IF YOU ARE A PRISONER FILING A CIVIL SUIT THE FOLLOWING INFORMATION IS
REQUIRED:

PREVIOUS LAWSUITS:

A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING
WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING
TO YOUR IMPRISONMENT? YES () NO ☒

B. IF YOUR ANSWER TO A IS YES, DESCRIBE THE LAWSUIT IN THE SPACE BELOW.
(IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL
LAWSUITS ON ANOTHER PIECE OF PAPER, USING THE SAME OUTLINE.)

1. PARTIES TO THIS PREVIOUS LAWSUIT

PLAINTIFFS:

DEFENDANTS:

2. COURT (IF FEDERAL COURT, NAME THE DISTRICT: IF STATE COURT,
NAME THE COUNTY)

--

3. DOCKET NUMBER

--

4. NAME OF THE JUDGE TO WHOM THE CASE WAS ASSIGNED

--

5. DISPOSITION (FOR EXAMPLE, WAS THE CASE DISMISSED? WAS IT
APPEALED? IS IT STILL PENDING?)

--

6. APPROXIMATE DATE OF THE FILING OF THE LAWSUIT

--

7. APPROXIMATE DATE OF THE DISPOSITION

--

PLACE OF PRESENT CONFINEMENT

SOCF PRISON

A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS INSTITUTION?
YES ☒ NO ☐

B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THIS STATE
PRISONER GRIEVANCE PROCEDURE? YES ☐ NO ☒

C. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

2. WHAT WAS THE RESULT?

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT.

THE LAST TIME A INMATE TRAY
HE WAS THREAT BY SOCF STAFF
TO BE HARM OR INJURY

E. IF THERE IS NO PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION, DID
YOU COMPLAIN TO PRISON AUTHORITIES? YES ☐ NO ☒

F. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

2. WHAT WAS THE RESULT?

DEFENDANTS:

PLACE THE NAME AND ADDRESS OF EACH DEFENDANT YOU LISTED IN THE CAPTION ON THE FIRST PAGE OF THIS COMPLAINT. THIS FORM IS INVALID UNLESS EACH DEFENDANT APPEARS WITH FULL ADDRESS FOR PROPER SERVICE.

1. MR. RONALD ERDUS WARDEN OF SOCF

NAMES - FULL NAME PLEASE

PO BOX 46699 LUCASVILLE, OHIO 45699

ADDRESS - STREET, CITY, STATE AND ZIP CODE

2. MR. B. SPARKS SOCF PO BOX 45699
LUCASVILLE, OHIO 45699

MR. SGT. BEAR SOCF PO BOX 45699
LUCASVILLE, OHIO 45699

3. _____

4. _____

5. _____

6. _____

IF THERE ARE ADDITIONAL DEFENDANTS, PLEASE CONTINUE LISTING THEM.

SGT. TERRY SOCF PO BOX 45699
LUCASVILLE, OHIO 45699
THERES OTHERS BUT I DONT NO
HOW TO SPILL THERE NAMES OK

STATEMENT OF CLAIM

PLEASE WRITE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. INCLUDE THE NAME OF ALL PERSONS INVOLVED. GIVE DATES AND PLACES.

DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES.

IF YOU HAVE A NUMBER OF DIFFERENT CLAIMS; PLEASE NUMBER AND SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH. USE AS MUCH SPACE AS YOU NEED. YOU ARE NOT LIMITED TO THE PAPERS WE GIVE YOU. ATTACH EXTRA SHEETS THAT DEAL WITH YOUR STATEMENT CLAIM IMMEDIATELY BEHIND THIS PIECE OF PAPER.

ON 54-NORTH AT SOCF PRISON AROUND 4:00PM ON SECOND SHIFT I WAS IN HELLING TOBACCO SMOKE ON THESE DATE'S 9/7/16 - 9/9/16 - 9/13/16 9/16/16 AND 9/29/16 I TOLD THE WARDEN MR. RONALD ERDOS WHEN HE STARTED WORKING HERE AT SOCF HE TOLD ME LET HIM WARY ABOUT THE TOBACCO ISSUE'S IN SO MANY WORDS. MR. B. SPARKS IS THE UNIT C UNIT MANAGER LETTING INMATES BRING ITEMS TO INMATES IN A CONTROL LOCK DOWN BLOCK NO OUTSIDE GIP. INMATES ARE NOT BE STRIP SEARCHES TO CONTROL THE ILLEGAL ITEM'S COMING INTO YB. SGT. BEAR DON'T CARE MUCH HIS SELF THESE STATE EMPLOYEE'S ARE FULL OF CORRUPTION AND I WANT A LIADETCTERTEST FOR MY EVIDENCE AGAINST THIS CORRUPT PRISON SYSTEM. LETTING TOBACCO ITEM'S THAT THE SOCF STAFF IS BRING IN FOR THERE PERSONAL USE AND IT VIOLATE'S MY HEALTH SECONDHAND SMOKE KILLS

RELIEF

IN THIS SECTION PLEASE STATE (WRITE) BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT, CITE NO CASES OR STATUTES.

I will like to COURT TO REMOVER
ME FROM SOCF INSTITUTION AND
SEND ME TO A INSTITUTION OF MY
CHOICE. BECAAS THIS WILL NOT STOP
HAPPING AND MY HEALTH COME'S
FIRST. THIS CORRUPT PRISON IS
FORCING ME TO INHEIL POISONUS
AIR FORM DANGER AND SERIOUS
TOBACCO SMOKE THATS SERIOUS
TO MY HEALTH. SECOND HAND SMOKE
KILLS. I WANT A LIAR DETECTER TEST
FOR MY EVIDENCE AGAINST THIS
CORRUPT PRISON SYSTEM HERE AT
SOCF IN LUCASVILLE, OHIO 45699

SIGNED THIS 9 DAY OF 29 2016.

DONALD K. MALONE 527-016
SIGNATURE OF PLAINTIFF

DATE 9/21/2016

ON J4-NORTH AT ROUND 4:00 PM ON.

SECOND SHIFT. I WAS INHALLING TOBACCO
SMOKE IN THE BLOCK. ITS AGAINST
FEDERAL LAW TO HAVE ANY TOBACCO
ITEM'S IN A STATE PRISON SYSTEM.
I WANT A LIAR DETECTER TEST FOR MY
EVIDENCE AS WELL. SECOND HAND
SMOKE KILLS. THE SOCF ~~W~~ WARDEN
MR. RONALD ERDOS IS ALLOWING HIS
SOCF PRISON STATE EMPLOYEE'S
TO BRING IN SMOKELESS TOBACCO
REGULAR TOBACCO FOR THERE
PERSONAL USE. ITS AGAINST FEDERAL
LAW TO LET ANY TOBACCO OF ANY KIND
INTO A STATE PRISON SYSTEM OVER

RECEIVED
SEP-26 2016

RICHARD M. NAGEL
CLERK OF COURTS
CINCINNATI, OHIO

PAGE TWO
 I AM SICK OF INHELLING POISONOUS
 SMOKE. THE SOCF WARDEN POSEDING
 A SERIOUS DANGER TO MY HEALTH
 PARTICULARLY IN CASES OF SECONDHAND
 SMOKE, TALAL V. WHITE, 403 F.3d 423
 (6th Cir. 2005); ALVARADO V. LITSCHER,
 267 F.3d 648 (7th Cir. 2001); AND ASBESTOS,
 LABOUNTY V COUGHLIN, 137 F.3d 68
 (2d Cir. 1998) WHILE YOU ARE NOT ENTITLED
 TO A SPECIFIC AIR TO INHELL MY
 EIGHTH AMENDMENT IS BEING
~~VIOLATED~~ VIOLATED OF MY CONSTITUTION
 SO PLEASE SEND ME THE PAPERWORK
 FOR A LAW SUIT AGAINST SOCF WARDEN
 AND SGT BEAR. THINK YOU FOR YOUR
 TIME MR. DONALD K. MALONE 527-016
 DATE 9/11/2016: THESE ARE THE DATES
 I AM INHELLING TOBACCO SMOKE AT S.O.C.F.
 9/3/16 9/9/16 9/13/16 9/15/2016